

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD D. KEGLEY, RAMON ZAMORA,
ZAP BOXING CLUB YOUTH CENTER, ERIN
CAPITAL MANAGEMENT, WALLWA WALLA
COUNTY, RICHARD of YHVH, Office of
the First Presiding Patriarch,
JAMIE OF YHVH, Office of the First
President Patriarch, ERIN CAPITAL
MANAGEMENT, and WALLA WALLA
COUNTY,

Defendants.

No. CV-13-5053-EFS

**ORDER DENYING DEFENDANT KEGLEY'S
MOTION TO RECONSIDER**

Before the Court, without oral argument, is Defendant Richard D. Kegley's *pro se* Motion for Reconsideration, ECF No. 24, of the Court's November 26, 2013 Order, ECF No. 23, denying his prior motion to dismiss, ECF No. 15. Mr. Kegley argues the Court's denial of his dismissal motion is based on an incorrect legal determination that the United States' plead all necessary jurisdictional facts to support the Court's jurisdiction over Mr. Kegley in this lawsuit. The Court finds Mr. Kegley fails to establish that reconsideration, which is an extraordinary remedy, of the November 26, 2013 Order is necessary.

1 *See Kona Enter., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir.
2 2000).

3 A motion for reconsideration under Federal Rule of Civil
4 Procedure 59(e) is appropriate "if the district court (1) is presented
5 with newly discovered evidence, (2) committed clear error or the
6 decision was manifestly unjust, or (3) if there is an intervening
7 change in controlling law." *Sch. Dist. No. 1J, Multnomah Cnty., Or.*
8 *v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). The Court finds
9 none of these sections apply. The Court sufficiently addressed Mr.
10 Kegley's legal arguments in its November 26, 2013 Order, and the Court
11 does not find error in its decision.

12 Accordingly, **IT IS HEREBY ORDERED:** Mr. Kegley's Motion for
13 Reconsideration, **ECF No. 24**, is **DENIED**.

14 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
15 Order and provide copies to Mr. Kegley and counsel.

16 **DATED** this 16th day of December 2013.

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18 s/ Edward F. Shea
EDWARD F. SHEA
19 Senior United States District Judge
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